



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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NR 115 Listening Session Comment Sheet – Basic

Listening sessions are an opportunity for the public to review and comment on the draft proposals generated together by the Advisory Committee and the Department. At this point, and throughout the entire rule revision process, it is very important that we hear from the general public.

Listening sessions have been added as an additional step in the traditional rule revision process because the Department recognizes this issue needs special consideration and debate in an open, informative, honest and participatory forum. It has been over 35 years since the rule was first promulgated and it has not been substantially updated.

The key to a successful Shoreland Management Program is to find that proper balance between property owners' rights and the public's rights in Wisconsin's navigable waters. We hope to achieve this goal through the progress that was made with a very large and diverse Advisory Committee and by engaging the public early on with these listening sessions.

Please consider the following questions on the NR 115 Advisory Committee recommendations. Your comments will be reviewed to help guide the preparation of proposed rule language. Our goal is to have the proposed revision of the rule ready for public hearings next summer.

Please note that written comments from listening sessions will be accepted until December 31, 2003. This package only contains those portions of the NR 115 Advisory Committee recommendations where two or more options were presented. If you would like to comment in more detail on NR 115 Advisory Committee recommendations, please use one of the more detailed comment sheets. Thank you.

I. SHORELAND BUFFERS

Buffer Depth Options

Do you, in general, support:

Option A: 50-foot primary buffer + 25 foot secondary buffer = 75-foot OHWM setback Yes No

Option B: 35-foot primary buffer + 40 foot secondary buffer = 75-foot OHWM setback Yes No

Viewing Access Corridor (VAC) Options

Do you, in general, support:

Option A: VAC = 30% of water frontage, not to exceed 30 feet wide Yes No

Option B: VAC = 30% of water frontage, not to exceed 50 feet wide Yes No

Comments on Shoreland Buffers?

II. ORDINARY HIGH WATER MARK (OHWM) SETBACKS

Boathouse Options

Do you, in general, support:

Option A: Boathouses must be set back 75 feet from the OHWM. Yes No

Option B: Boathouses may be permitted in shoreland setback area (within 75 feet of the OHWM). Yes No

Comments on ordinary high water mark (OHWM) setbacks?

III. NONCONFORMING STRUCTURES

For Expansion in the Secondary Buffer:

Minimum Size to be Eligible for Expansion Options

Do you, in general, support:

Option A: To expand, the principal structure must be at least 750 square feet or meet the minimum housing size area required by the county in general zoning. Yes No

Option B: There is no minimum size required for a principal structure to be expanded. Yes No

Total Size of Structure Options:

Do you, in general, support:

Option A: Additions to a principal structure in the secondary buffer shall not expand the structure beyond a habitable living area of 1,500 square feet. Yes No

Option B: Additions to a principal structure in the secondary buffer shall not enlarge the footprint of the structure beyond 1,500 square feet and the habitable living area shall not exceed 2,500 square feet. Yes No

Rule When Structures are in more than One Buffer Zone Options:

Do you, in general, support:

Option A: When a structure straddles zones, the structure will be subject to the more restrictive provisions. Yes No

Option B: When a structure straddles zones, the regulations of the zone where the modification is proposed shall prevail. Yes No

Definition of "Major Reconstruction" Options:

Do you, in general, support:

Option A: Reconstruction or replacement of 25% or more of the structural components of a building or 50% or more of the linear perimeter of the structure. Yes No

Option B: The removal and replacement of all, or virtually all, of the structural components of a structure with the exception of the foundation. Yes No

Comments on Nonconforming Structures?

IV. MINIMUM LOT SIZE - SINGLE FAMILY HOMES, DUPLEXES AND COMMERCIAL DEVELOPMENT

Minimum Size for New Lots Options:

Do you, in general, support:

Option A: All lots shall have a minimum area of 20,000 square feet and a minimum lot width of 100 feet. Yes No

Option B: Lots served by public sanitary sewers shall have a minimum area of 10,000 square feet and a minimum lot width of 65 feet. Yes No

Lots not served by public sanitary sewers shall have a minimum area of 20,000 square feet and a minimum lot width of 100 feet.

Minimum Buildable Area Options:

Do you, in general, support:

Option A: At the time of platting or subdivision, lots shall have at least 5,000 square feet of land that is not wetland or floodway. Yes No

Option B: No buildable area limit. Yes No

Comments on Minimum Lot Sizes?

IX. IMPERVIOUS SURFACE PROVISIONS

Impervious Surface Options:

Do you, in general, support:

Option A: Impervious surfaces within shorelands may not exceed 2,500 square feet or 20% of the lot area, whichever is less, unless the property owner implements best management practices (BMPs) designed to control post-construction runoff. Yes No

Option B: No limit on impervious surfaces. Yes No

Comments on Impervious Surface Provisions?

XIII. RECREATIONAL AREAS INCLUDING CAMPGROUNDS, PUBLIC ACCESS SITES AND MARINAS

Limits on Camping Unit Stay Options:

Do you, in general, support:

Option A: Camping units are limited to a maximum 30 day stay. Yes No

Option B: Camping units are limited to a maximum 90 day stay.

Option C: Camping units are limited to a maximum 180 day stay.

Option D: No limits on maximum stays. Yes No

Comments on Recreational Areas?

DOCUMENTATION FOR THE PUBLIC RECORD

Comments from the listening sessions will be accepted until December 31, 2003. Comments can be emailed to Toni Herkert, Shoreland Management Team Leader at Toni.Herkert@dnr.state.wi.us or comments can be mailed to her at DNR WT/2, Box 7921, Madison, WI 53707-7921. If you have questions, Toni can be contacted at (608) 266-0161. More detailed information on the Shoreland Management Program revision is available at: www.dnr.state.wi.us/org/water/wm/dsfm/shore/news.htm

If you would like your comments to be part of the public record for the NR115 rule revision, please, at a minimum, provide your name. The remaining information is voluntary. Please print legibly.

Date: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Would you like to receive email updates about the status of the NR 115 revision process?

☐ Yes ☐ No